

NATIONAL EXAMINER BOARD **CHARTER**

I. GENERAL.

A. Purpose. The National Examiner Board (NEB) was created to improve the designated examiner program through innovation, oversight, and standardization. The NEB will address designee issues, improve the quality of inspector involvement in the designee program, oversee the designee application and screening process, foster a national designee organization, and encourage designee participation in strengthening the national quality of aviation training.

B. Representatives. The NEB is a permanent board composed of representatives from AFS-340, AFS-630, AFS-640, AFS-840, and, AVN-460. Additionally, the division manager or manager's representative of AFS-300, AFS-600, and AFS-800 will serve on a separate appeals board which arbitrates NEB evaluations contested by an applicant. AFS-800 will appoint a project manager to oversee the functions of the NEB, to ensure the NEB fulfills an integral role in the AVR designee oversight management program, and to coordinate the NEB's initiatives with the appropriate policy divisions and related programs. The NEB shall elect a chairperson or co-chairpersons to lead the board in its management of the applicant screening process and oversight of the national candidate pool. The chairperson(s) shall serve a term determined by majority vote of the board representatives and function under the direction of the project manager.

C. Designee Initiatives The NEB represents Flight Standards on designee initiatives and coordinates with Aircraft Certification on designee oversight management issues.

II. AUTHORITY AND RESPONSIBILITIES OF THE BOARD.

A. Evaluate Applications from Examiner Applicants The NEB accepts and evaluates applications from examiner applicants whose designations are governed by the guidance in FAA Order 8710.3, Pilot Examiner's Handbook, FAA Order 8610.4, Aviation Mechanic Examiner Handbook, and/or FAA Order 8610.5, Parachute Rigger Examiner Handbook, except as noted in subparagraphs (4) and (5).

(1) Applications from examiner applicants will receive an initial eligibility screening by an NEB member for insuring that applicant has the basic eligibility qualifications. Those applicants found to meet the basic eligibility requirements will be sent a letter authorizing that applicant to take the required initial written test. Applicants found not to be eligible will be sent a rejection letter.

(2) At least 4 members of the NEB must be present in order to rate an examiner applicant for assignment to the national examiner pool. Of the 4 members required to be present, at least one member must be present from AFS-340 or AFS-630 and one from either AFS-300 or AFS-640.

(3) The NEB will use the general qualification requirements, technical requirements, and experience criteria detailed in the current editions of FAA Orders 8710.3, 8610.4, and 8610.5 for each type of designation, as applicable, to determine whether applicants meet FAA requirements for the initial examiner designation sought.

(a) If extenuating circumstances justify the exception, the NEB may approve a designated pilot examiner (DPE) applicant who does not meet all of the qualification requirements of FAA Order 8710.3 for assignment to the national examiner pool. However, a statement explaining the deficiency and detailing the circumstances which justify approval of the application must be made a part of the candidate's file.

(b) Designated mechanic examiner (DME) and designated parachute rigger examiner (DPRE) applicants must meet all of the qualification criteria of FAA Orders 8610.4 or 8610.5, as applicable.

(c) DPE applicants need not have a residence within the designating Flight Standards District Office's (FSDO) geographical area of jurisdiction; however, a DPE applicant must be able to provide examiner service in the FSDO's area in order to be considered for designation by that FSDO.

(d) DME and DPRE applicants must have a fixed base of operation within the geographical area of the FSDO under whose jurisdiction they wish to serve.

(4) Examiner candidates applying for designation under the provisions of the National Designated Pilot Examiner Registry (NDPER) Program will be screened by the Experimental Aircraft Association (EAA). NDPER applicants will submit applications directly to the EAA for consideration. The EAA will recommend successful candidates to the appropriate FSDO for further consideration.

(5) Examiners applying for special authorization to issue U. S. certificates on the basis of a foreign license under Section 61.75 of the Federal Aviation Regulations (FAR) and/or to issue pilot certificates on the basis of military competency under Section 61.73 of the FAR will submit applications directly

to the jurisdictional FSDO. This authorization will be issued only at the discretion of the designating FSDO/region in accordance with current guidance

B. Establish/Maintain a National Examiner Candidate Pool The NEB is responsible for creating and maintaining a national examiner candidate pool. An electronic record of examiner applicants assigned to the national pool will be maintained in a reliable database until the Flight Standards mainframe and data warehouse can accommodate the program's automation requirements on a permanent basis.

(1) The information entered into the database will include the following for each applicant:

- (a) the FSDO geographical area(s) of jurisdiction which the applicant can serve;
- (b) a summary of the applicant's experience, qualifications, and type(s) of designation sought,
- (c) the applicant's predesignation knowledge test score when the test report from the Computer Testing Designee's (CTD) facility is forwarded to the NEB by the applicant;
- (d) the date the NEB reviewed the applicant's accident/incident/violation history;
 - (i) The NEB shall not maintain a record of the applicant's enforcement history.
 - (ii) The requesting FSDO shall review each candidate's accident/incident/violation history at the time the candidates' files are forwarded to the FSDO by the NEB. The review must be accomplished before the FSDO selects a candidate for designation
- (e) a record of the NEB's approval/disapproval of the applicant for the national examiner pool, the date of the approval/disapproval, and the reasons for disapproval, if any;
- (f) a record of any applicant appeal for review of the NEB's decision and the action taken on the matter by the appeals board;

(g) a record of the FSDO's acceptance/declination of the candidate and the reasons for declination, if any, when the NEB forwards a candidate's application file to a FSDO for consideration.

(2) The information in that database will be updated at least quarterly. If no additions or deletions are made to the national examiner pool within a given quarter, the update for that quarter will note "no change" and bear the current date.

(3) Except for candidate recommendations made to requesting FSDO's, no information in the database will be released to any individual or entity.

C. Recommend Examiner Candidates for Initial Designation At the request of a FSDO which has determined need for an examiner, the NEB shall send the FSDO copies of applicant files for the three most highly qualified candidates appropriate to the designation needed and the geographic area to be served.

(1) If fewer than three appropriate candidates are on file in the national pool, the NEB shall send the FSDO files for all of the available candidates, appropriate to the designation needed and geographic area to be served.

(2) The FSDO may accept or decline any candidate recommended by the NEB.

(3) Except in cases where fewer than three candidates are recommended by the NEB or when a recommended candidate does not meet all applicable criteria, a FSDO that declines all of the candidates recommended by the NEB may not request further recommendations for a period of six months.

(a) If fewer than three appropriate candidates are available, the FSDO may maintain an open request for the files of all additional candidates that become available through the national examiner candidate pool until such time that the NEB is able to recommend three candidates.

(b) The approval of the regional Flight Standards division manager is required in order for a FSDO to designate a DPE candidate who does not meet all of the qualification criteria stated in FAA Order 8710.3.

(c) If a FSDO declines a recommended DPE candidate who does not meet all of the qualification requirements of FAA Order 8710.3, the FSDO may request another DPE candidate recommendation without penalty.

(4) If a FSDO requests DME/DPRE candidates and there are no candidates in the national examiner pool that are able to serve that FSDO's geographical area, the NEB shall immediately advise the FSDO that no candidates are available.

(a) If the FSDO deems the need for a DME/DPRE to be time critical and finds that geographical resolution is not appropriate or available, the FSDO may encourage a suitable applicant to apply and forward the person's application to the NEB with a request for priority processing.

(b) Upon receipt of a DME/DPRE application with a FSDO's request for priority processing, the NEB shall convene within 10 days and approve or disapprove the application.

(c) The NEB shall advise the FSDO and the applicant by the most expeditious means of the approval/disapproval of the application and continue to give priority handling to the FSDO's request until the critical shortage is filled:

(5) If a FSDO that has declined all candidates recommended by the NEB requests new recommendations after a lapse of 6 months, the NEB shall again recommend the three most highly qualified candidates currently in the national pool, appropriate to the designation needed and the geographic area to be served. Whether the candidates are the same or different from those previously recommended shall have no bearing on current or subsequent recommendations.

D. Initiate Improvements to the Examiner ProgramThe NEB will initiate improvements to the national examiner program. The NEB will use all feasible methods of obtaining representative information from designees, inspectors, and the aviation community when evaluating program and policy modifications.

E. Promote a National Designee OrganizationThe NEB will promote the development of a national designee organization. The NEB will encourage designees to take an active part in upgrading the national quality of aviation training.

III. BOARD ADMINISTRATIVE PROCEDURES.

A. Meetings.The NEB will meet quarterly or schedule meetings as required to meet the existing workload.

B. DPE/DME/DPRE Applicant RequirementsThe applicant is responsible for sending all required application materials and documents to the NEB.

(1) All applicants must complete an FAA examiner application form..

(a) The applicant may obtain an examiner application form from any FSDO.

(b) The applicant sends the completed application to the NEB. If the applicant's qualifications meets criteria for acceptance, the NEB will notify the applicant by letter and request that the applicant apply for a predesignation knowledge test at a computerized test center. The cost of the predesignation test is borne by the applicant.

(c) Any examiner applicant, after receiving a letter of acceptance from the NEB acknowledging meeting the basic eligibility qualification requirements of Order 8710.3B, may apply and attend the Examiner Initial Qualification Course prior to being selected by a FSDO, and if that applicant satisfactorily completes the course, attendance and completion of the course will meet the criteria of Order 8710.3b (as amended) indefinitely. Attendance at the Examiner Initial Qualification Course will be at the applicant's own expense entirely. The applicant shall send a copy of the certification of completion of the course to the NEB.

(d) The applicant shall send the predesignation test report to the NEB within 10 days of taking the test.

(e) The passing grade for the predesignation knowledge test is 80%. If an applicant fails the predesignation test or chooses to retake the test to obtain a higher score, that applicant may retake the test 30 days after the date the last test was completed .

C. Record keeping RequirementsThe NEB shall place the application materials received from the applicant on file.

(1) The NEB shall evaluate designee applications and send applicants who meet the applicable criteria a letter advising the applicant of acceptance of the application.

(2) Upon receipt of the applicant's predesignation knowledge test report and review of the applicant's accident/incident/violation history, the NEB shall approve or disapprove the applicant for assignment to the national candidate pool and advise the applicant, in writing, whether the application is approved or disapproved.

(3) The NEB shall maintain files of applicants who are approved for the national examiner candidate pool for a period of 2 years, or until the applicant is designated by a FSDO, whichever comes first.

(4) The NEB shall request a background security check on the examiner applicant who is selected by the FSDO prior to completion of final selection of that applicant as an examiner. If the security check finds an applicant has committed violations of any Federal Aviation Regulations that relate to moral character or committed violations of any criminal statute, the NEB will have final authority over the course of action for selection of that applicant.

(5) When a FSDO accepts a candidate for designation, the candidate's file shall be transferred to the designating FSDO.

(6) Applications from applicants who are not approved for the national candidate pool shall not be kept on file and must be returned to the applicant within 120 days of evaluation by the NEB.

D. Resolution of a Contested Decision If an applicant requests a review of the NEB's decision regarding the approval of an applicant for assignment to the candidate pool, the NEB shall convey the request and all application materials to the appeals board for resolution. The decision of the appeals board is final. The appeals board shall notify the applicant of the board's decision by letter and provide the NEB a copy of the letter. The decision letter must be signed by the director of the Flight Standards Service.

IV. PROGRAM OVERSIGHT MANAGEMENT The NEB will oversee the designated examiner program, develop national policy regarding examiner activity, and facilitate distribution of designee resources based on analysis of program data. The NEB will strive to achieve safety, flexibility, and quality public service in the future development of the national designated examiner program and ensure that the program meets Flight Standards and FAA strategic goals. This charter shall be reviewed at least annually and amended as necessary to support current Flight Standards objectives.

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Signed 6/6/95